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January 2, 2002

BY HAND

Mary L. Cottrell, Secretary
Department of Telecommunications & Energy
Commonwealth of Massachusetts
One South Station, 2nd Floor
Boston, Massachusetts 02110

Re: Fiber Technologies Networks, L.L.C. v. Town of Shrewsbury Electric
Light Plant, D.T.E. 01-70

Dear Ms. Cottrell:

I am writing in connection with the pending motions by Shewsbury's Electric Light Plant (SELP) to compel further responses to information requests by Fibertech Networks, LLC. Since filings were submitted on these motions, SELP served its responses to Fibertech's Third Set of Information Requests. In these responses, SELP makes precisely the same relevance objections to requests by Fibertech for information that mirror the SELP requests in dispute.

In response to SELP's discovery requests, Fibertech has objected on the grounds of relevance to several information requests seeking information regarding Fibertech's exiting customers in New York and Connecticut. Provoked by these requests, Fibertech's Third Set of Information Requests 3-2 and 3-3 asked for information regarding the customers for SELP's internet service and traditional CATV video services and for the form of service agreements with Fibertech customers. In response, although responding notwithstanding its objection, SELP objected that each such request "seeks information not relevant to the scope of these proceedings, i.e., a pole attachment dispute between Fibertech and SELP, and has nothing to do with whether Fibertech is a 'licensee' or whether its fiber is an 'attachment.'" Copies of these responses are attached.

SELP's objections mirror Fibertech's objections to SELP's far more extensive request for information regarding Fibertech's customers.

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Respectfully submitted,

Cameron F. Kerry

CFK:jdn

cc: Service List

LIT 1308103v1